

Date of Deposit February 26, 2002

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

PATENT  
Attorney Docket No.: 018484-002121US  
Client Reference No.: Pitt 04/03US



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Christopher H. Evans et al.

Continuation of Application  
No.: 09/096,572

Filed: June 12, 1998

For: SYSTEMIC GENE TREATMENT  
OF CONNECTIVE TISSUE DISEASES

Examiner: Wilson, Michael C.

Art Unit: 1633

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

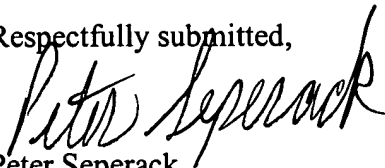
Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/096,572, filed 06/12/98 (Attorney Docket No. 018484-002120US). Also enclosed are copies of the Search/Examination reports corresponding to the PCT and EP applications. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Peter Seperack  
Reg. No. 47,932

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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of

**Complete if Known**

Application Number	Continuation of 09/096,572
Filing Date	June 12, 1998
First Named Inventor	Evans, Christopher H.
Group Art Unit	1633
Examiner Name	Wilson, Michael C.
Attorney Docket Number	018484-002121US

10/086068  
02/26/02

## **U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	5,081,228		Dower et al.	01/14/1992	
	AB	5,180,812		Dower et al.	01/19/1993	
	AC	5,319,071		Dower et al.	06/07/1994	
	AD	5,334,380		Kilbourn et al.	08/02/1994	
	AE	5,350,683		Sims et al.	09/27/1994	
	AF	5,399,346		Anderson et al.	3/1995	

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AG	WIPO	91 17184	A	The Upjohn Co.	11/14/1991		
	AH	WIPO	92 11359	A	Univ. of Pittsburgh, etc.	07/09/1992		
	AI	WIPO	92 07943			05/1992		
	AJ	WIPO	94 20517	A	Univ. of Pittsburgh, etc.	09/15/1994		

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet

2

of

## **Complete if Known**

Application Number	09/096,572
Filing Date	June 12, 1998
First Named Inventor	
Group Art Unit	1633
Examiner Name	Wilson, Michael C.
Attorney Docket Number	018484-002120US

10/086068



## **OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AK	Aderka et al., <i>Arthrit. &amp; Rheum.</i> , 36(8):1111-1120 (09/1993)	
	AL	Allen, et al., <i>J. Immunol.</i> , 151:4344-4351 (1993)	
	AM	Anderson et al., <i>Human Gene Therapy</i> , 1:331-362 (1990)	
	AN	Arend et al., <i>J. Clin. Invest.</i> , 88:1445-1451 (1991)	
	AO	Arend, <i>Advances in Immunology</i> , 54:167-227 (1993)	
	AP	Balavoine et al., <i>J. Clin. Invest.</i> , 78:1120-1124 (1986)	
	AQ	Bandara et al., <i>Arthrit. &amp; Rheum.</i> , 35(9):S193 (#C161) (09/1992)	
	AR	Bandara et al., <i>DNA Cell Biol.</i> , 11:227-231 (1992)	
	AS	Bandara et al., <i>Gene Transfer to Synovium</i> , 39th Annual Meeting, Orthopaedic Research Society, p. 242	
	AT	Bandara et al., <i>Proc. Natl. Acad. Sci. USA</i> , 90(22):10764-10768 (11/15/1993)	
	BA	Bandara et al., <i>Transplantatin Proceedings</i> , 24(6):2966 (1992)	
	BB	Bandara et al., 1992, <i>Nature</i> , 247:1465-1468 (1990)	
	BC	Bandara, G., et al., <i>J. Cell. Biochem.</i> , Supplement, 0(17), part E:224, XP000566581 (04/12-18/93)	
	BD	Barr et al., <i>Science</i> , 254:1507-1509 (1991)	
	BE	Beaulieu, et al., <i>Arthritis &amp; Rheumatism</i> , 37(6):855-859 (08/1994)	

Examiner  
Signature

Date  
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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	09/096,572
		Filing Date	June 12, 1998
		First Named Inventor	
		Group Art Unit	1633
		Examiner Name	Wilson, Michael C.
Sheet <b>3</b>	of	Attorney Docket Number	018484-002120US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BF	Bessis, et al., <i>Presse Medicale</i> , 27:580-582 (03/29/98)	
	BG	<i>Biotechnology News</i> , 14(20):1-12 (08/25/94)	
	BH	Bodgan et al., <i>J. Exp. Med.</i> , 174:1549-1555 (1991)	
	BI	Brouckaert, et al., <i>Eur. J. Immunol.</i> , 22:981-986 (1992)	
	BJ	Carter et al., <i>Nature</i> , 344(6267):633-638 (04/12/1990)	
	BK	Conti, P., et al., <i>Immunology</i> , 77:245-250 (1992)	
	BL	Danos and Mulligan, <i>PNAS</i> , 85:6460-6464 (1988)	
	BM	Dayer et al., <i>J. Clin. Invest.</i> , 77:645-648 (1986)	
	BN	Dayer et al., <i>J. Exp. Med.</i> , 162:2163-2168 (1985)	
	BO	de Waal Malefyt et al., <i>J. Exp. Med.</i> , 174:1209-1220 (1991)	
	BP	Deleuran et al., <i>British Journal of Rheum.</i> , 31:801-809 (1992)	
	BQ	Denning et al., <i>FASEB J.</i> , 3:A785 (#3243) (1989)	
	BR	Dia et al., <i>PNAS</i> , 89:10892-10895 (1992)	
	BS	Dinarello and Thompson, <i>Immunology Today</i> , 12 (11):404-410 (1991)	
	BT	Dinarello et al., <i>JAMA</i> , 269:1829-1835 (1993)	

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		Application Number	09/096,572
		Filing Date	June 12, 1998
		First Named Inventor	
		Group Art Unit	1633
		Examiner Name	Wilson, Michael C.
Sheet 4 of	Attorney Docket Number	018484-002120US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BU	Docherty and Murphy, <i>Ann. Rheum Dis.</i> , 49:469-479 (1990)	
	BV	Eisenberg et al., <i>Nature</i> , 343:341-346 (1990)	
	BW	Englemann et al., <i>J. Biol. Chem.</i> , 264:11974-11980 (1989)	
	BX	Essner et al., <i>J. Immunol.</i> , 142:3857-3861 (1989)	
	BY	Evans et al., <i>J. Cell. Biochem. Supp.</i> 17E, 0:16:46 (Abstract No. 207) (04/3-91992)	
	BZ	Evans, C., et al., <i>Receptor</i> , 4(1):9-15 (1994)	
	BAA	Fanslow et al., <i>Science</i> , 248:739-742	
	BBB	Firestein, G. S., et al., <i>J. Immunology</i> , 149(3): 1054-1062 (08/01/1992)	
	BCC	Firestein, G., S., et al., <i>Curr. Op. Rheum.</i> , 10:236-241 (1998)	
	BDD	Firestein, G. S., et al., <i>Arthritis &amp; Rheumatism</i> , 37(5):644-652 (05/1994)	
	BEE	Forentino et al., <i>J. Immunology</i> , 147:3815-3822 (1991)	
	BFF	Fox, et al., <i>Am. J. Med.</i> , 89:82-88 (07/95)	
	BGG	Galea-Lauri et al., <i>J. Cell Biochem. Supp.</i> 17E., 224(SZ101) (1993)	
	BHH	Galea-Lauri et al., <i>J. Cell. Biochem. Supp.</i> 17E., 236 (#SZ307)	
	BII	Gatanga et al., <i>Lymphokine Res.</i> , 9(2):225-229 (1990)	

Examiner Signature		Date Considered	
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		Application Number	09/096,572
		Filing Date	June 12, 1998
		First Named Inventor	
		Group Art Unit	1633
		Examiner Name	Wilson, Michael C.
Sheet 5 of	Attorney Docket Number	018484-002120US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BJJ	Gerald J. Prud'homme, <i>J. Gene Med.</i> , 2:222-232 (2000)	
	BKK	Granowitz, et al., <i>Blood</i> , 79(9):2356-2363 (1992)	
	BLL	Gutierrez, et al., <i>Lancet</i> , 339:715-721 (03/21/92)	
	BMM	Hannum et al., <i>Nature</i> , 343:336-340 (1990)	
	BNN	Hart, et al., <i>Proc. Natl. Acad. Sci. USA</i> , 86:3803-3807 (5/1989)	
	BOO	Heilig et al., <i>Clin. Immunology</i> , 13(5): 321-328 (1993)	
	BPP	Houri, et al., <i>Curr. Op. Rheum.</i> , 7:201-205 (05/95)	
	BQQ	Howard and O'Garra, <i>Immunology Today</i> , 13:198-200 (1992)	
	BRR	Hung, G. L., et al., <i>Arthritis and Rheum.</i> , 36(9):S46 (Supplement) XP 000565750 (9/1993)	
	BSS	Ignotz and Massague, <i>J. Biol. Chem.</i> , 261:4337-4345 (1986)	
	BTT	Iigo et al., <i>J. Immunol.</i> , 147:4167-4171 (1991)	
	BUU	Ingontz and Massague, <i>Cell</i> , 51:189-197 (1987)	
	BVV	Joosten, et al., <i>Ann. Rheum. Dis.</i> , 59:196-205 (2000)	
	BWW	Karlsson et al., <i>Bone Marrow Transplantation</i> , 11:124-127 (1993)	
	BXX	Koch et al., <i>Clinical Immunology and Immunopathology</i> , 65(1):23-29 (10/1992)	

Examiner Signature		Date Considered	
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		Application Number	09/096,572
		Filing Date	June 12, 1998
		First Named Inventor	
		Group Art Unit	1633
		Examiner Name	Wilson, Michael C.
Sheet 6 of	Attorney Docket Number	018484-002120US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Larrick, <i>Immunology Today</i> , 10(2):61-66 (1989)	
	CB	Libert, et al., "Induction of Interleukin 6 by Human and Murine Recombinant Interleukin 1 in mice," <i>Eur. J. Immunol.</i> , 20:691-694 (1990)	
	CC	Lombard et al., <i>Arthrit. and Rheum.</i> , 36(4):485-489 (1993)	
	CD	Lubberts, et al., <i>J. Immunol.</i> , 163:4546-4556 (1999)	
	CE	Ma, et al., <i>J. Immunol.</i> , 161:1516-1524 (1998)	
	CF	Malyak, M., et al., <i>Arthritis and Rheum.</i> , 36(6):781-789 (06/1993)	
	CG	Manthorpe et al., <i>Human Gene Therapy</i> , 4:119-131 (1993)	
	CH	McColl et al., <i>J. Exp. Med.</i> , 176:593-598 (08/1992)	
	CI	McQuillan et al., <i>Biochem. J.</i> , 240:423-430 (1986)	
	CJ	Miller, <i>Retroviral Vectors. Current Topics in Micro-biology and Immunology</i> , 158:1-24 (1992)	
	CK	Morales and Roberts, <i>J. Biol. Chem.</i> , 263:12828-12831 (1988)	
	CL	Mulligan, <i>Science</i> , 260:926-931 (1993)	
	CM	Mulligan, <i>Science</i> , 260:926-932 (1993)	
	CN	Nabel et al., <i>Science</i> , 249:1285-1288 (09/14/1990)	
	CO	Nienhaus et al., <i>Cancer</i> 67(10):2700-2704 (1991)	

Examiner Signature		Date Considered	
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		Application Number	09/096,572
		Filing Date	June 12, 1998
		First Named Inventor	
		Group Art Unit	1633
		Examiner Name	Wilson, Michael C.
Sheet 7 of	Attorney Docket Number	018484-002120US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CP	Nienhuis, et al., "Gene Transfer Into Hematopoietic Stem Cells," <i>Cancer</i> , 67(10):2700-2704 (05/15/91)	
	CQ	Ohashi et al., <i>PNAS</i> , 89:11332-11336 (1992)	
	CR	Ohashi et al., <i>Proc. Natl. Acad. Sci. USA</i> , 89:11332-11336 (1992)	
	CS	Orkin, et al., "Report and Recommendations of the Panel to Assess the NIH investment in Research on Gene Therapy," (1995)	
	CT	Pahan, et al., <i>J Neurochem.</i> , 75(2):576-582 (2000)	
	CU	Raz et al., <i>PNAS</i> , 90:4523-1527 (1993)	
	CV	Robbins, et al., <i>Gene Therapy for Neoplastic Diseases</i> ; Annals of the New York Academy of Sciences, Edited by Brian Huber and John Lazo, 716:72-89	
	CW	Robbins, et al., <i>Annals of the New York Academy of Sciences</i> , 716:72-89 (06/29/93)	
	CX	Roessler et al., <i>J. Clin. Invest.</i> , 92:1085-1092 (08/1993)	
	CY	Ronald G. Crystal, <i>Science</i> , 270:404-410 (10/20/95)	
	CZ	Ross, et al., <i>Human Gene Therapy</i> , 7:1781-1790 (9/96)	
	CAA	Roux-Lombard, P., et al., <i>Arthritis and Rheum.</i> , 36(4):485-489 (04/1993)	
	CBB	Seitz, et al., <i>J. Immunol.</i> , 152:2060-2065 (1994)	
	CCC	Shalaby, et al., <i>Clinical Immunology and Immunopathology</i> , 53:488-498 (1989)	
	CDD	Skaleric et al., <i>J. Immunol.</i> , 147:2559-2564 (1991)	

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		Application Number	09/096,572
		Filing Date	June 12, 1998
		First Named Inventor	
		Group Art Unit	1633
		Examiner Name	Wilson, Michael C.
Sheet 8 of	Attorney Docket Number	018484-002120US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CEE	Smolen et al., <i>J. Immunology</i> , 150(8) Part 2:298A (1993), Abstract No. 1704	
	CFF	Streeter et al., <i>Nature</i> , 331:4 1-46 (1988)	
	CGG	Vannier et al., <i>PNAS</i> , 89:4076-4080 (1992)	
	CHH	Weinblatt, <i>Journal of Rheumatology</i> , 19(Sup.32):85-91 (1992)	
	CII	Wooley, et al., <i>Arthritis &amp; Rheumatism</i> , 36(9):1305-1314 (09/93)	
	CJJ	Yang, <i>Critical Reviews in Biochem.</i> , 12(4):335-356 (1992)	

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